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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,664	01/15/2002	Hiroki Takaoka	725.1151	2270
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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER SUAREZ, FELIX E	
			ART UNIT 2857	PAPER NUMBER

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/045,664

Applicant(s)

TAKAOKA ET AL.

Examiner

Felix E Suarez

Art Unit

2857

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 28 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12, 13 and 29-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 and 13 is/are allowed.
- 6) ☒ Claim(s) 29-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 29-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barts et al. (U.S. Patent Application Publication No. 2002/0082893) in view of Kirmuss (U.S. Patent Application Publication No. 2003/0080878).

With respect to claim 29, 34, 37 and 40, Barts et al. (hereafter Barts) teaches a vehicle information providing apparatus (or method or a computer program) comprising:

an authentication function for authenticating access from a user terminal by a key assigned to a purchaser of a vehicle (see page 18, paragraphs [0320]-[0322]).

Barts does not teach an image providing function for providing the user terminal with an image data representing the vehicle which is under manufacturing, if the authentication by said authentication function succeeds,

wherein the image data allow the user to check on the progress of manufacturing the vehicle.

But Kirmuss teaches in a Mobile Scene "Photography"; that to aid the scene investigations of accidents, hazardous materials spills, and the like, an embodiment of the present invention is used to replace unauthenticated JPEG still digital video cameras, allowing the device to act as a remote authenticated digital video storage device. To accomplish this, a wireless video transmitter is connected to a portable DC camera. Whether connected with or without a small LCD monitor, this embodiment links a wireless camera with optional audio to transmit video and/or audio signals up to 800 feet or more back to the housing installed in a vehicle or base station. Recorded live video scenes may be played back, and authenticated video stills may be then reproduced for distribution, whether in the field or at a main data collection station. To ensure that the video and/or audio data has been successfully received at the recorder location, the received video/audio data (or a hash thereof) may be sent back to the remote transmission device (see Kirmuss, page 9, paragraphs [0177]-[0178]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Barts to include an Event-Based Vehicle Image Capture as taught by Kirmuss, because the Event-Based Vehicle Image Capture of Kirmuss allows to capture, locate and monitor a vehicle image of the scene by a selected criteria.

With respect to claims 30, 35, 38 and 41, Barts in combination with Kirmuss teaches all the features of the claimed invention and Barts further teaches that the image providing function provides the user terminal of a video or still image data representing the vehicle in a backbone component assembly process, painting process, or test process (see Barts; pages 11, 12; paragraphs [0180]-[0181]).

With respect to claims 31, 36, 39 and 42, Barts in combination with Kirmuss teaches all the features of the claimed invention and Barts further teaches comprising a storage device for storing the image data representing the vehicle in association with processes of manufacturing,

wherein if the authentication function receives the access specifying the process of manufacturing and the authentication of the access succeeds, the image providing function reads out the image data from the storage device based on the received process of manufacturing (see Barts; page 13 paragraph [0194]).

With respect to claim 32, Barts teaches a vehicle information providing apparatus comprising:

an authentication function for authenticating access from a user terminal by a key assigned to a purchaser of a vehicle (see page 18 paragraph [0320]).

Barts does not teach an image providing function for informing the user terminal of a scheduled manufacturing time and for providing a real-time image

data representing the vehicle that is being manufactured if the authentication by said authentication function succeeds in the scheduled manufacturing time.

But Kirmuss teaches in an Event-Based Vehicle Image Capture that a video recorder is configured to accept data (e.g., officer badge number, car number, Global Positioning System (GPS) data, real-time clock data or other textual data) from the general-purpose computer and to synchronize (where necessary) and record that data with the recorded video signal(s). The recording of such additional data, together with the video signal, often can provide a more complete picture of a sequence of events, on a second-by-second basis, upon later review of the recorded video. Digital signals from the general-purpose computer (e.g., when the officer enters an emergency code) also can be used to trigger the beginning of the video recording mode (see Kirmuss; page 6 paragraph [0097]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Barts to include an Event-Based Vehicle Image Capture as taught by Kirmuss, because the Event-Based Vehicle Image Capture of Kirmuss allows to capture an image for a vehicle in a real-time on a second-by-second basis time.

With respect to claim 33, Barts teaches a vehicle information providing apparatus comprising:

an information providing function for providing the user terminal with a schedule information of when the user terminal is allowed to remotely control a manufacturing machine for a vehicle (see page 18 paragraph [0320]);

a receiving function for receiving an instruction to control the manufacturing machine from the user terminal (see page 18 paragraph [0321]);

a transmission function for transmitting the instruction to the manufacturing machine (see page 18, paragraphs [0321]-[0322]).

Barts does not teach an image providing function for providing the user terminal with an image data representing the vehicle, which is under manufacturing by the manufacturing machine based on the instruction.

But Kirmuss teaches in a Mobile Scene "Photography"; that to aid the scene investigations of accidents, hazardous materials spills, and the like, an embodiment of the present invention is used to replace unauthenticated JPEG still digital video cameras, allowing the device to act as a remote authenticated digital video storage device. To accomplish this, a wireless video transmitter is connected to a portable DC camera. Whether connected with or without a small LCD monitor, this embodiment links a wireless camera with optional audio to transmit video and/or audio signals up to 800 feet or more back to the housing installed in a vehicle or base station. Recorded live video scenes may be played back, and authenticated video stills may be then reproduced for distribution, whether in the field or at a main data collection station. To ensure that the video and/or audio data has been successfully received at the recorder location, the

received video/audio data (or a hash thereof) may be sent back to the remote transmission device (see Kirmuss, page 9, paragraphs [0177]-[0178]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Barts to include an Event-Based Vehicle Image Capture as taught by Kirmuss, because the Event-Based Vehicle Image Capture of Kirmuss allows to capture and transmit a vehicle image of the scene by a selected criteria.

Allowable Subject Matter

2. Claims 12 and 13 are allowable.

3. The following is a statement of reasons for the indication of allowable subject matter:

Claims 12 and 13 are allowable because the prior art, particularly Barts et al. [U.S. Patent Application Publication No. 2002/0082893] fails to teach or suggest a vehicle information providing apparatus comprising:

a information acquisition function, wherein said information acquisition function composites a name of a purchaser of the specific vehicle to the photographed image.

Final Rejection

Response to Arguments

4. This action is responsive to papers filed 10/28/2004.

5. Applicant's arguments filed 10/28/2004 have been fully considered but they are not persuasive respect to claims 29-42. The Examiner has thoroughly reviewed applicant arguments, but believes the cited references to reasonably and properly meet the claimed limitations.

Applicants' primary argument is that

"The primary reference relied upon by the Examiner, Barts, relates to a product delivery system that moves products from manufacturing plant to destination. The system utilizes a centralized management organization to provide management functions in a delivery network.

The secondary reference relied upon by the Examiner, Kirmuss, relates to a video camera system mounted in a vehicle (police car) to monitor traffic. The system includes a video camera, a traffic violation detector (radar gun), and a video recorder to receive the video signal provided by the camera and record the video signal in a buffer. Kirmuss, Abstract. The video recorder is configured to accept data from a computer and synchronize and record the data with the recorded video signal so that it may be reviewed at a later time. Kirmuss, page 6, paragraph 0097.

Thus, the combination of Barts and Kirmuss would result in a product delivery system for moving products in a delivery network, the product delivery system having a video camera to monitor traffic conditions that is stored in a memory to be viewed at a later time.

Independent claim 29 of the present application, recites: "[a] vehicle information providing apparatus comprising: an authentication function for authenticating access from a user terminal by a key assigned to a purchaser of a vehicle; and an image providing function for providing the user terminal with an image data representing the vehicle which is under manufacturing, if the authentication by said authentication function succeeds, wherein the image data allow the user to check on the progress of manufacturing the vehicle".

The invention is a vehicle information providing apparatus (or method or method or a computer program) and has a practical application in a tracking a vehicle under manufacturing by the user.

With respect to references.

Barts et al. (U.S. Patent Application Publication No. 200210082893) (hereafter, Barts) teaches in a DELIVERY SYSTEM AND METHOD FOR VEHICLES AND THE LIKE that; a product delivery system that moves products from manufacturing plant to destination is,

“Particularly applicable to the delivery of vehicles from vehicle assembly plants to dealerships, the system utilizes a centralized management organization overseeing independent entities in a delivery network, and provides a management team with improved visibility of and improved tools for operating the network, such as a tracking system by which managers in many parts of the network have access to the status of individual products and network facilities, ... ” (see Barts, ABSTRACT).

Barts teaches “All vehicles are identified by a unique "vehicle identification number" or "VIN." In accordance with common practice, a uniquely identified vehicle will sometimes be referred to below as a VIN” (see Barts, Page 5 paragraph [0065]).

The tracking system includes a tracking database containing status information on all aspects of the distribution network, and related software. This status information is received via the interface, from three main sources: vehicle manufacturers data, including production schedules, when actual production of a VIN begins, and when each VIN is released; railroad data sources, including scanners for reading encoded symbols on VINs and railcars, and terminals for manually sending information on the time planned events and unplanned disruptions occur; and car hauler data sources, similar to the railroad data sources (see Barts, page 8 paragraph 139]).

Views showing specific VIN level detail or views showing more than one VIN can be provided as output by the vehicle tracking system 34 depending upon the needs and authorization of the user. As previously noted, the automobile manufacturer's distribution network is divided into Zones, which contain many Areas, and each area may contain many Ramps, and there are several types of ramps including factory ramps, mixing center ramps, and destination ramps. Thus, a variety of users are associated along this network, including but not limited to:

Dealers

VP Managers

Zone Managers

Area Managers

Ramp/Supervisor Managers (see Barts; page 9, paragraphs [0149]-[0154]).

Kirmuss (U.S. Patent Application Publication No. 2003/0080878) teaches an EVENT-BASED VEHICLE IMAGE CAPTURE.

Kirmuss also teaches a “Mobile Scene "Photography". To aid the scene investigations of accidents, hazardous materials spills, and the like, an embodiment of the present invention is used to replace unauthenticated JPEG still digital video cameras, allowing the device to act as a remote authenticated digital video storage device. To accomplish this, a wireless video transmitter is connected to a portable DC camera. Whether connected with or without a small LCD monitor, this embodiment links a wireless camera with optional audio to transmit video and/or audio signals up to 800 feet or more back to the housing installed in a vehicle or base station. Recorded live video

scenes may be played back, and authenticated video stills may be then reproduced for distribution, whether in the field or at a main data collection station. To ensure that the video and/or audio data has been successfully received at the recorder location, the received video/audio data (or a hash thereof) may be sent back to the remote transmission device" (see Kirmuss, page 9, paragraphs [0177]-[0178]).

With respect to the primary reference (Barts); Barts reference is related to a product delivery system that moves products from manufacturing plant to destination.

The system taught by Barts is particularly applicable to the delivery of vehicles from vehicle assembly plants to dealerships, and it is capable for tracking the vehicle status information from the vehicle manufacturers data.

Barts assigns to a unique vehicle identification number (VIN), this VIN is used to show the status of a vehicle on any step, from the manufacturing to the delivery of the unique vehicle requested by the user, where the user should be the purchaser, as the dealer or the customer.

In the tracking system of Barts the status information is received via interface, and the Examiner considers that this interface should be a port for a wireless interconnection for receiving data status from a manufacturing vehicle.

With respect to secondary reference (Kirmuss); Kirmuss reference is related to Event-Based Vehicle Image Capture.

Kirmuss teaches a Mobile Scene "Photography"; Kirmuss teaches to aid the scene investigations of accidents, hazardous materials spills, and the like, allowing the device to act as a remote authenticated digital video storage device. To accomplish this, a wireless video transmitter is connected to a portable DC camera.

And Kirmuss is most specific when he teaches: whether connected with or without a small LCD monitor, this embodiment links a wireless camera with optional audio to transmit video and/or audio signals up to 800 feet or more back to the housing installed in a vehicle or base station. Recorded live video scenes may be played back, and authenticated video stills may be then reproduced for distribution, whether in the field or at a main data collection station.

The Examiner considers that the combination of the tracking a vehicle system of Barts, receiving the data from a wireless video transmitter, connected to a portable DC camera as taught by Kirmuss; would result in a tracking a vehicle while manufacturing through a video camera by the user, as is claimed in the independent claim 29 and the same analysis applied for the independent claims 32, 34, 37 and 40.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Atsmon et al. [U.S. Patent No 6,607,136] describes a system which allows users to easily interact with a merchant.

Ginter et al. [U.S. Patent No 6,363,488] describes a communication including electronic purchasing.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix Suarez, whose

telephone number is (571) 272-2223. The examiner can normally be reached on weekdays from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on (571) 272-2216. The fax phone numbers for the organization where this application or proceeding is assigned is 703-872-9306 for regular communications and for After Final communications.

January 26, 2005

F.S.


MARC S. HOFF
SUPERVISORY PATENT EXAMINER
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